IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 1938 of 2005

Between:

Praja Abyudaya Seva Samihti, Rep. by its Secretary, K. Lokanathan,
S/o. Venkatappa, aged about 43 Years, Plot No. 233, Durganagar Colony,
Greamspet, Chittoor.

..... PETITIONER

AND

1 The Secretary Ministry of Social Justice and Empowernment, Government

of India, Shastry Bhavan, VI Floor, New Delhi.
2 The Secretary Ministry of Tribal Affairs, Government of India, Shastry

Bhavan, VI Floor, New Delhi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the in action on the part of 1st and 2nd respondents in not disposing of the representation dt. 15-07-2004 made by the petitioner and in not processing the proposals for release of the grants as arbitrary illegal and amounting to abdication of their duty and issue a consequential direction to the respondents to dispose of the representation dt. 15-07-2004 made by the petitioner.

Counsel for the Petitioner: MR.K.KISHOR KUMAR REDDY

Counsel for the Respondents: SMT.C.VANI REDDY (ADDL.SC FOR CG)

The Court at the admission stage made the following:

ORDER:

The petitioner who claims to be the Voluntary Non-Governmental Organisation filed this writ petition aggrieved by the alleged inaction on the part of the respondents in considering the representation made by the petitioner dated 15-07-2004. It is stated that in pursuance of a request made by the petitioner for sanction of grant of aid to run the units namely a) Residential Primary School for SCs (b) Craft Centre for OBCs (c) Mobil Medicare Centre for aged (d) Printing Training Centre for OBCs (e) Residential School for STs (f) Computer Training for STs and (g) Vocational Training for Disabled, the respondents herein granted permission to run the said units and also released the grants on different dates. While so, on an anonymous petition filed against the petitioner Association, a show-cause notice dated 20-10-2000 was issued to the petitioner as to why it should not be blacklisted and why the grant released shall not be recovered. Though the petitioner submitted a representation denying the said allegations, the petitioner was blacklisted along with other NGOs. However, the petitioner made a request to review the said decision and ultimately in pursuance of the orders of this Court in W.P.No.5790 of 2001, dated 6-11-2001 a detailed enquiry was conducted into functioning of the petitioner society and ultimately the order dated 10-01-2002 under which the petitioner was blacklisted was withdrawn by the first respondent. Now, the grievance of the

petitioner is that in spite of the fact that all the enquiry reports clearly show that the petitioner Association is functioning well, the respondents have not released full grants. The petitioner made a representation dated 15-07-2004 requesting to consider the material on record and to release the grants as well as arrears of the grant so as to enable the petitioner to continue the programmes of the petitioner Association in the next academic year. The only grievance of the petitioner in this writ petition is that in spite of the repeated requests, the respondents failed to consider the said representation. Hence, this writ petition.

Having heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents without expressing any opinion with regard to the entitlement of the petitioner for the release of grants as claimed, the writ petition is disposed of with a direction to the respondents to consider the representation of the petitioner dated 15.07.2004 and to pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of four weeks from the date of receipt of this order. No costs.

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08.02.2005

VGB

To

1 The Secretary Ministry of Social Justice and Empowernment, Government

of India, Shastry Bhavan, VI Floor, New Delhi.

2 The Secretary Ministry of Tribal Affairs, Government of India, Shastry

Bhavan, VI Floor, New Delhi.

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